



## **2009 Home Energy Conservation Program**

### **Labor Standards Monitoring**

### **REQUEST FOR PROPOSALS (RFP)**

**June 18, 2009**

**Indiana Housing and Community Development Authority  
30 South Meridian Street, Suite 1000  
Indianapolis, IN 46204**

## **SUMMARY AND BACKGROUND**

The federal *Weatherization Assistance Program for Low- Income Persons* (WAP), established by the Energy Conservation in Existing Buildings Act of 1976, is intended to improve the lives of low-income individuals and families by investing in weatherization activities that reduce overall residential expenditures, increase energy efficiencies in the home, and improve the health and safety of persons who are particularly vulnerable, such as elderly, persons with disabilities, families with children, high residential users, and households with high energy burden.

The Weatherization program has been assigned a significant role in the American Recovery and Reinvestment Act of 2009 (ARRA). Over the next two years, the U.S. Department of Energy (DOE) will allocate more than \$130 million to IHCDCA for weatherization activities in Indiana through the *Indiana Home Energy Conservation Program* ('HEC' or 'Program'). As a direct grantee, and the State of Indiana's administrative entity, IHCDCA is responsible to provide DOE with a clear strategy for ensuring Program funds are expended as effectively and efficiently as possible, with a minimum of waste, fraud, error or abuse. On May 12, 2009, IHCDCA submitted its Program plan to the DOE. The plan, available for viewing on the IHCDCA website, identifies the 30 sub-grantees selected to launch the HEC Program and their combined strategies to weatherize 30,000 homes between now and March 31, 2011.

## **ABOUT IHCDCA**

IHCDCA is a quasi-state agency, created by Indiana statute in 1978 to ensure all Hoosiers have access to safe, decent, affordable housing. IHCDCA partners with the federal government, public and private non-profit housing developers and local units of government to fund, construct or rehab houses, apartments and shelters throughout the State. IHCDCA funds entities that are working to end homelessness, create communities of choice, provide opportunities for seniors to age in place, demonstrate energy conservation, and stabilize housing markets.

Additional information on the agency and its programs is available at our website, at [www.in.gov/IHCDCA](http://www.in.gov/IHCDCA).

## **REQUEST FOR PROPOSALS**

Indiana Housing and Community Development Authority (IHCDCA) is requesting proposals from qualified organizations with demonstrated experience in auditing payroll files, reviewing wage decisions, review program files, administering state or federal programs, monitoring non-profit or for-profit grant recipients for activities related to the Davis-Bacon Act, and/or inspecting housing construction and rehab efforts, to monitor up to 300 HEC sub-contractors and sub-grantees across Indiana's 92 counties to ensure Davis-Bacon Labor Standards activities are conducted in compliance with all program requirements, and to provide corrective technical assistance services to program recipients.

This request for proposals (RFP) process is competitive; therefore, successful proposals will thoroughly and concisely address and document the following topics:

- Experience with monitoring sub-grantees or sub-contractors for project compliance.
- Experience with public units of government.
- Experience with prevailing wage, labor standards, Davis-Bacon Act, or energy conservation programs.
- Ability to complete the project within the allotted timeframe.
- Capacity of the organization to administer project funds.
- Ability to identify deficiencies, provide correction and enforce program requirements.
- Required resources to successfully monitor sub-grantees or sub-contractors.

## **ELIGIBLE APPLICANTS**

For-profit and not-for-profit entities, as established by Indiana statutes, are eligible to apply for funding.

## **ELIGIBLE ACTIVITIES**

The purpose of Labor Standards monitoring is to ensure that each worker is paid a fair and equitable wage and is paid in a manner that complies with the Department of Labor regulations, all appropriate state, county or local requirements, and Program policies and procedures. The Contractor will perform any and all tasks relevant to assessing the labor standards activities of the approved sub-grantees and sub-contractors for the specified contract period.

- Payroll Review - The Contractor will perform weekly reviews of certified payroll submissions and other information to ensure contractor compliance with labor standards provisions and the payment of prevailing wages to workers.
- File Review - The Contractor will review the payroll files of all of the ARRA HEC Program sub-grantees and sub-contractors on a regular basis to determine the rates of compliance and exceptions within each entity to labor standards laws and regulations, including Davis-Bacon and prevailing wage. File reviews are performed during on-site visits with an anticipated total of up to 300 sub-grantees and sub-contractors during the 2009-2010 contract timeframe
- Assessment and Evaluation -The Contractor will provide, on a regular basis, an overall assessment of sub-grantee and sub-grantee wage payment and wage documentation practices and use assessment documents to identify findings, concerns and suggestions for improvement.
- Monitoring Reports - The Contractor will document site visit results in a comprehensive monitoring report, which is required to be completed for every site visit, and is the basis for statistical data used in HEC program management by IHCD staff. Monitoring reports should include the following items:

- Review of labor standards documentation efforts, including Davis-Bacon prevailing wage rates, and results of investigations into violations of D-B Act
  - Documented interviews with 10% of appropriate prevailing labor job classifications, including new DOE weatherization laborer and weatherization crew chief rates.
  - Documentation of basic training and technical support provided onsite during Pre-bid and Pre-construction conferences, for each contract, to contractors ensuring that they understand their obligations under prevailing wage and reporting requirements.
  - Problem areas
- Corrective Action and Enforcement - Contracted firms are expected to analyze technical deficiencies, identify solutions, and enforce laws, regulations, policies and guidance with sub-contracted entities.
  - Tracking System - The Contractor will develop a tracking system to determine if appropriate corrective actions were completed in a timely manner, appropriate reports filed, and to inform IHCDCA of sub-grantee progress.
  - Report Preparation - The Contractor will prepare and submit weekly summary reports to the IHCDCA Labor Standards Officer for review and prepare Federal labor standards enforcement reports as required in Department of Labor (DOL) regulations (29 CFR, Part 5, §5.7).

## **ELIGIBLE COSTS**

Applicants must submit a detailed schedule of costs for which the monitoring services, including reports, will be provided. The all-inclusive fee structure must include the estimated number of hours per task, salary per hour per job classification, fringe rate, travel costs and all costs normally associated with these activities. All of the above may be included in either a per-unit fee or a per-project fee.

## **MONITOR TRAINING**

Once a contract is awarded, IHCDCA staff will provide training to the Contractor regarding roles and responsibilities with respect to weatherization program guidelines, the timeline and scope of the monitoring activities and other information pertinent to the contract. In order to assist the Labor Standards Monitor in preparing for and implementing monitoring activities, IHCDCA will provide the Labor Standards Monitor updates on all contract-related requirements on an ongoing-basis.

## **PROGRAM PERIOD**

All monitoring for this contract must be completed by May 31, 2010.

## **PERIOD OF PERFORMANCE**

The contract awarded shall be for a one year period with the option to extend the contract for two (2) additional one-year periods based on need, performance, and funding availability.

## **PAYMENT TERMS**

The respondent awarded the contract will submit an invoice for progress payments by the 10<sup>th</sup> day of the month for the compliance reports submitted. Reimbursements will be made within a 30 day period. Late or incorrect reports will delay the payment schedule.

## **PROPOSAL DUE DATE**

**All proposals are due to IHCDA by 5:00 p.m. EDT on Friday, July 17, 2009.** Applicants will receive acknowledgement of receipt by close of business on Monday, July 20, 2009.

## **SUBMISSION PROCESS**

The following information should be included in all proposals:

Title: **HOME ENERGY CONSERVATION LABOR STANDARDS MONITORING SERVICES PLAN**

### **Section 1: Organizational Information**

1. Describe your organization, including origin, structure and current operations.
2. Describe your organization's qualifications, including at least three years' experience in providing similar services and expertise in the field of energy efficiency.
3. Describe your organization's capacity to administer Federal funds.

### **Section 2: Service Delivery Plan**

1. Describe your plan to effectively monitor sub-grantee weatherization activities.
  - a. Provide a list of the counties or other geographic areas your organization will serve.
  - b. Explain how your organization will schedule and conduct the on-site monitoring visits of sub-grantee programs.
  - c. Describe the process for preparing and issuing comprehensive narrative reports of monitoring visits, monitoring activities, findings, recommendations for corrective

actions, and follow-up reports. *Note: IHCD A has requested a detailed timeline and benchmarks to be attached to the proposal. Therefore, it is not necessary to include it in this section of your response. However, references to the timeline are appropriate.*

- d. Describe the process for conducting follow-up activities to determine whether appropriate corrective actions were completed and documented.
  - e. Explain how recommendations for technical assistance, where appropriate, will be provided.
  - f. Provide a detailed service delivery timeline, with benchmarks, to ensure project completion by the end of the program timeframe.
2. Provide information about personnel assigned to conduct monitoring activities, including each person's name and title, the education level and work experience of each, a description of the functions each will perform, and an estimate of how much time each will spend on the assignment.
3. Provide references from three recent clients.
  - a. Include client contact information (organization name, address, telephone, and email address of the primary contact at the organization). Employees and outsourcing contacts of the organization may not be listed as references.
  - b. Include a brief summary of the project for which your organization was enlisted and the nature of the relationship with the client.

### **Section 3: Projected Budget**

1. Provide a complete line-item budget and an accompanying budget narrative for each anticipated project expense listed below. Include the following components:
  - a. The annual time commitment and eligible costs for each position associated with the monitoring activities, including fringe benefits. Explain how fringe benefits rates were computed.
  - b. All anticipated outsourcing expenses, if any, which will be needed to complete the contract. *Note: all outsourcing by the Contractor must be pre-approved by IHCD A.*
  - c. Projected travel costs for all related personnel.
  - d. All indirect expenses, such as overhead, etc., and all direct administrative expenses, such as training.
  - e. Any additional anticipated expenses and the rationale for including these items.

## SELECTION CRITERIA

### Section 1: Organizational Information

- Demonstrated organizational knowledge of and experience with weatherization, energy efficiency programs or other comparable scientific trades, housing construction or housing rehab activities, and/or inspecting construction work.
- Evidence of the organization's capacity to administer federal funds, as indicated by a demonstrable experience working with, or for, local, state or federal units of government or administration.

### Section 2: Service Delivery Plan

- Resource organization and allocation strategy is sufficient to ensure the successful completion of the required volume of monitoring in the allotted time period.
- Monitoring strategy is sufficient to ensure all monitoring activities are completed correctly, completely, and in accordance with applicable regulations and program requirements.
- Strategy to evaluate, communicate and report HEC activities is sufficient to ensure all contracted entities are aware of, and responsive, to technical expectations.

### Section 3: Projected Budget

- The budgeted resources, cost centers, and expense amounts are appropriate for identified activities and are sufficient to initiate and complete all monitoring activities within the required timeframe.

## SUBMISSION FORMAT

The application package consists of one original proposal, three copies and a CD. The deadline for accepting applications is 5:00 PM, Indianapolis time, on **July 17, 2009**. Hand deliver or mail all information to the following address:

**Indiana Housing & Community Development Authority**  
**30 S. Meridian Street, Suite 1000**  
**Indianapolis, IN 46204**  
**Attention: Labor Standards Monitoring Services Proposal**

Late applications will not be considered. A complete application package consists of the items listed below. Applications received without all of the items will be considered incomplete. Incomplete applications will be withdrawn from the review process and returned to the applicant.

- **Page layout** requirements: Standard business narrative (8.5" x 11", portrait orientation, 2-sided, 11 point font, 1.5 line spacing, 1-inch margins on all sides).
- **Cover sheet** on organizational letterhead that includes the contact information for the organization and its primary contact person. (1 page)

- **Narrative proposal** that includes the following:
  - a. Section 1: Organizational Information – response to items listed in Section 1 (up to 3 pages)
  - b. Section 2: Service Delivery Plan - response to items listed in Section 2 (up to 10 pages)
  - c. Section 3: Projected Budget - response to items listed in Section 3 (up to 3 pages)
- **Attachments**
  - a. Three years consecutive audited financial statements, with management reports.
  - b. Resumes of executives, principals, and key project staff of the primary organization and the project management team.
  - c. Minimum of three references, as indicated in Section 1.
  - d. Detailed timeline and benchmarks to ensure completion at the end of program period as established by DOE.
  - e. List of necessary equipment.

## **SUBMISSION CONDITIONS**

The electronic response is a binding proposal to IHCDA, and IHCDA has the right to rely on the representations made by the organization. The proposal may be withdrawn by the organization any time before the July 17, 2009 deadline by written request delivered to IHCDA and signed by a person authorized to bind the organization in the matter. This would include the person's name, telephone number, email address and fax number.

The organization shall notify IHCDA immediately if conflicts or ambiguities in this RFP are discovered. The cost of developing and submitting the proposal is entirely the responsibility of the respondent. This includes costs to determine the nature of the engagement, preparation of the proposal, submitting the proposal, negotiating the contract and other costs associated with responding to the RFP. All responses will become the property of IHCDA and will be a matter of public record subsequent to signing of the contract or rejection of all bids.

From the closing date of this RFP until a contractor is selected and the selection is announced, firms responding to RFP are not allowed to communicate with any IHCDA employee regarding this subject matter except through the Contracting Officer named herein. For violation of this provision, the State shall reserve the right to reject the proposal of the offending vendor.

All questions concerning this RFP must be submitted in writing to the HEC Program Administrator via email ([iwx@IHCDA.in.gov](mailto:iwx@IHCDA.in.gov)) or fax (317-232-7778). Faxes will be accepted;



however, e-mail is preferred. Written responses to questions will be posted in a Frequently Asked Questions document on the IHCDCA website within 48 hours of receipt of questions. Only written requests for information will generate written responses. Only written responses will be binding to the State.

## **PROPOSAL SELECTION POLICY**

Proposals will be reviewed on Friday, July 31, 2009. Consideration of proposals will be focused upon, but not limited to: a) compliance with the terms, conditions and provisions of the RFP; b) the adequacy and completeness of the organization's proposal, and c) results of contacts with references supplied by the nonprofit. Other measures may be established for review and evaluation of the proposals.

IHCDA reserves the right to request additional information as needed from any organization, but is not obligated to request such additional information. IHCDA reserves the right to reject any or all proposals, or portions of proposals, or to waive any deviation in any proposal.

The award shall be made in the best interest of IHCDA as determined by the professional judgment of IHCDA's Board, Executive Director, and professional staff. A point system will be used for this evaluation.

Each reviewer will independently review and score proposals on a 100-point scale, using the following assigned weights:

### **Respondent Information (35 points)**

- a. Relevant past performance. Applicants must provide documentation of at least three years experience in housing construction and/or rehabilitation activities, building inspection, energy conservation, and/or federal agency program administration.

### **Program Design (40 points)**

The proposal demonstrates the overall need and program rationale as evidenced by providing the following:

- a. A clear and concise commitment statement, and
- b. A well detailed plan and timeline that clearly define how the contractor will implement and complete the scope of work.

### **Budget (25 points)**

Budget documents consist of accurate and complete budget summary and a budget narrative justification. Respondent's proposed budget must provide:

- a. A reasonable and appropriate cost for the scope and nature of the program,

- b. A budget narrative justification that is detailed and sufficient to demonstrate the link between the requested funds and the program description/approach being proposed, and that costs are reasonable and sufficient to support the proposed programs

## **APPEALS POLICY**

The IHCD A Appeals Policy, approved by the Board of Directors on May 28, 2009 is available upon request. Inquiries must be submitted in writing within ten (10) days of notification of contractor selection to:

IHCDA  
30 S. Meridian Street, Suite #1000  
Indianapolis, Indiana 46204  
Attention: Home Energy Conservation Program Administrator

## **AWARD AND FORM OF AGREEMENT**

Funding recommendations will be reviewed and voted on by the IHCD A board of directors on Thursday, August 27, 2009. Contractors will be notified in writing of the board's decision by close of business on Friday, August 28, 2009.

Selected contractors will be required to enter into a grant agreement with IHCD A. The grant agreement shall require the contracting organization to abide by all certifications, assurances, statutes, regulations, rules and procedures governing the Indiana Home Energy Conservation Program, including, but not limited to, the following:

- Grant Award Notification
- Signature Authorization Form
- Sub-grantee Conditions for "High Risk" Sub-grantee
- Civil Rights Certification
- Certification Regarding Lobbying
- Certification of a Drug Free Workplace